



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Design, Construction and Land Use**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

**Application Number:** 2207151  
**Applicant Name:** Mark Goodwin for Bob & Allison Bergstrom  
**Address of Proposal:** 3616 Corliss Avenue North

**SUMMARY OF PROPOSED ACTION**

Master Use Permit for future construction of a two-story single family residence with basement and attached garage.

The following approval is required:

**Variance** - to allow a portion of the principal structure to extend into required front yard.  
Seattle Municipal Code 23.44.014A1

**Variance** - to allow the expansion of a nonconforming structure. Seattle Municipal  
Code 23.44.082

**SEPA DETERMINATION:** ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or  
involving another agency with jurisdiction

**BACKGROUND DATA**

**Site and Vicinity Description**

The 2113 sq. ft. site is located in a Single Family 5000 (SF-5000) zone at the northeast corner of Corliss Avenue North and North Pacific Street. The existing lot is triangular in shape and the property is described as Lot 10, Block 54, Lake Union Addition to the City of Seattle. Currently the site is developed with a 1915 one-story residence and a basement. The existing house is non-

conforming with respect to front yard setback requirements. The house is setback 2-feet from the front property line, and 8.5 feet from the rear property line with an existing driveway off North Pacific Street to the east of the site. There is no alley. The lot is bordered on by Corliss Avenue North to the west and North Pacific Street to the southeast. The site gradient drops from fairly flat towards Corliss Avenue North sloping gradually towards the south east portion of the site. Development in the vicinity is primarily single-family residential. The Single Family 5000 zone abuts an Industrial Buffer (IB) zone to the south. The site is not designated as environmentally critical pursuant to the Environmentally Critical Areas Ordinance, SMC 25.09.

### Proposal Description

The applicant is requesting a variance to allow a portion of the principal structure to extend into the required front yard. The new structure would have a footprint similar to that of the existing house, covering only approximately 850 square feet of the lot. It would contain a modest 1821 square feet of living area on three levels, plus a 399 square feet garage. Vehicular access to the lot would be from North Pacific Street.

### Public Comments

No comment letter was received during the comment period that started on November 28, 2002 and ended December 25, 2002.

### ANALYSIS - VARIANCE

As provided in SMC 23.40.020, variances from the provisions or requirements of Title 23 shall be authorized only when all of the facts and conditions stated in the numbered paragraphs below are found to exist. Analysis for the variance requested follows each statement of required facts and conditions.

- 1. Because of unusual conditions applicable to the subject property, including size, shape, topography, location or surroundings, which were not created by the owner or applicant, the strict application of this Land Use Code would deprive the property of rights and privileges enjoyed by other properties in the same zone or vicinity;***

The size of the existing triangular-shaped lot is 2,113 square feet and located in the Single Family 5000 (SF-5000) zone. The existing house is non-conforming with respect to front and side yard setbacks to the north. The current location of the house is setback 2-feet from the front property line instead of 15 feet 2 inches and the north-side yard setback is 3-feet instead of 5-feet as required by the Land Use Code. The existing siting of the subject residence is an unusual property related condition not caused by the applicant. The applicant is proposing to replace the existing small aging house built in 1915 with a new residence that would occupy 850 square feet of the lot. The proposed residence would consist of 1,821 square feet of living space in two levels. In addition, the applicant proposes to maintain the same foot prints by allowing a portion of the new building in the required front yard, setback 2-feet from the front property line. The proposed expansion of the new building would not increase the front yard from its current state of 2-feet but would increase the height of the façade along the front property line on Corliss

Avenue North. The expansion would result in a structure with increased bulk and scale. Because two and three story houses with nonconforming front yards currently exist along Corliss Avenue North and in the vicinity, the proposed residence will not be out of place with the existing scale and development pattern in the vicinity. To deny the proposal would deprive the applicant of property rights enjoyed by other properties in the same zone and vicinity.

- 2. The requested variance does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located;***

SMC Section 23.44.014A requires that the front yard should be 20-feet or the average of the two adjacent front yards whichever is less. In this case, the required front yard is 15'2". The applicant is proposing to replace the small aging house with new structure using the existing building foot print. As a result, a large portion of the new building (a second story) will expand into the required front yard, setback 2-feet from the front property line. Allowing the proposed encroachment into the front yard setback, together with other required yards setback will result in a development area that will allow a 22' wide house. Requiring the applicant to meet the setback requirements greatly reduces the width of the proposed building. The applicant proposes to conform with the side yard setback requirement to the north would be increased from 3-feet to 5-feet. By increasing the side yard setback to north and bringing the proposed structure more into conformity in terms to its north side yard, the applicant has demonstrated that the variance does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is located.

- 3. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located;***

No significant impacts to the neighborhood character are anticipated as a result of this proposal. At this location of Corliss Avenue North there are several single family residentially zoned parcels. The property immediately north of the subject site has a front yard of 10' 4". The property directly across the street has a front yard of 3' 4" and another has a structure set along the front property line. In addition, the proposed residence will have a code required parking space in an attached garage accessed from North Pacific Street to the east. Due to the relationship of the subject property to properties along Corliss Avenue North and North Pacific Street, potential view impacts will be minor and even with the increased height of the proposed building, no view impacts are anticipated. Thus, granting the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located.

- 4. The literal interpretation and strict application of the applicable provisions or requirements of this Land Use Code would cause undue hardship or practical difficulties;***

The literal interpretation and strict application of all applicable provisions or requirements of the Land Use Code would result in a building area of 593 square feet. In Single Family residentially

zones, lots are allowed lot coverage of 1,750 square feet or 35% of the minimum lot area. The size, shape and setbacks of the subject lot would confine the applicant to a 593 sq. ft. building pad instead of sizeable building area. The requirements of the Land Use Code would cause undue hardship or practical difficulties if the applicant is denied a variance to construct the proposed building into the required front yard. The applicant's proposal to redevelop the subject site with a new three-story house (including daylight basement) appear to be in line with the Single Family Residential Use regulation which encourages rehabilitation and preservation of the physical character of Single Family Residential areas. Strict application of the code would restrict the structure to the size constraints similar to its existing condition and would limit applicant the ability to provide additional square footage.

***5. The requested variance would be consistent with the spirit and purpose of the Land Use Code regulations for the area.***

The spirit and purpose of the Land Use Code provides that "the height and front yards of existing adjacent single family residences shall be used to determine bulk and siting patterns for future construction". The proposal would result in a single family residence that has a front yard similar to that of neighboring buildings. The granting of the variance will not adversely affect the physical characteristics of the use of the surrounding neighborhood, but rather will enhance and integrate the subject property into the residential character of the surrounding environment. The requested variance would be consistent with the spirit and purpose of the Land Use Code.

**DECISION - VARIANCE**

A variance to allow an expansion of a non-conforming structure: **GRANTED.**

A variance to allow a portion of principal structure to extend into the required front yard: **GRANTED.**

Signature: (signature on file) Date: April 3, 2003  
Christopher A. Ndifon, Land Use Planner  
Department of Design, Construction and Land Use  
Land Use Division